

A U S T I N C I T Y C O U N C I L
AGENDA



Thursday, July 27, 2006

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**Watershed Protection and Development
Review
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 84

Subject: Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a single family residence at 1411 Gaston Avenue, Austin, TX.

Amount and Source of Funding: There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup
Material**

(click to open)

- [Staff Report](#)
- [Backup information](#)
- [Backup information](#)
- [Backup information](#)

For More Information: Erica Eichert, 974-2720; Joi Harden, 974-3345

On March 9, 2006 the City Council adopted interim development regulations which provided development limits in subdivisions within the City limits for which the original plat was approved before March 7, 1974, or on a tract that may legally be developed without being platted. For a building permit to construct single-family, single family attached, two-family, secondary apartment, and duplex structures on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, the new structure's size is limited to the greater of the following:

- (a) 0.4 to 1 floor-to-area ratio; (b) 2,500 square feet; or (c) 20 percent more square feet than the existing or pre-existing structure.

This ordinance includes a provision which allows City Council to waive the development limitations if the Council determines that the development regulations impose an undue hardship on the applicant, the development proposed by the applicant will not adversely affect public health, safety, and welfare, and waiving the regulations will not have a substantially adverse impact on neighboring properties.

Applicant Ms. Allyson Hallmark is requesting a waiver from Ordinance No. 20060309-058 in order to construct a two story single family residence and a garage apartment (two-family residential) at 1411 Gaston Avenue, Austin, TX. The new two story single family residence will have 3998 square feet of gross floor area and the garage apartment (two-family residential) will have 534 square feet of gross floor area. The proposed development exceeds the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would also comply with all other zoning regulations, including building and impervious cover limitations as well as height requirements.

Staff recommends approval of the waiver request based on the information that the applicant has provided.

WAIVER REQUEST STAFF REPORT

PERMIT NUMBER: BP-06-5936R

COUNCIL DATE: July 27, 2006

APPLICATION DATE: June 14, 2006

OWNER: Allyson Hallmark

ADDRESS: 1411 Gaston Avenue

BACKGROUND

On March 9, 2006 the City Council adopted Ordinance 20060309-058 establishing development regulations applicable to certain building permits for single-family, single family attached, two-family, secondary apartment, and duplex structures in areas of the City that were subdivided prior to March 1974.

APPLICATION

On May 11, 2006, the applicant submitted an application for a waiver from Part 4 Section (C) of Ordinance 20060309-058 that for a building permit for a new structure on a lot where, before March 9, 2006, a structure has been or will be demolished or relocated, the new structure's size is limited to the greater of:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or
- (3) 20 percent more square feet than the existing or pre-existing structure.

DEVELOPMENT REGULATIONS

The proposed construction requires the applicant to request a Council Waiver because it creates a structure that exceeds all three size limitations set forth in Part 4(C) of the ordinance:

- (a) 0.4 to 1 FAR would allow 4478.88 s.f.
 - Proposed structure's create 4532 s.f. on 11197.20 s.f. lot, which equates to a 0.404 FAR.
- (b) Proposed structure will exceed 2500 s.f. by 2032 s.f.
- (c) An application for a demolition permit has been filed with the Historic Preservation Office to demolish an existing single family residence totaling 2400 s.f.
 - Ordinance allows for 20 percent increase over previous structure size
 - 2400 s.f. + 480 s.f. (20 percent) = 2880 s.f. maximum size allowed
 - Proposed 4532 s.f. - 2880 s.f. = 1652 s.f. over maximum allowed

SETBACKS

Existing Setbacks

1403 Gaston Avenue	39 ft 2 in
1407 Gaston Avenue	40 ft
1413 Gaston Avenue	40 ft 9 in
1415 Gaston Avenue	40 ft 3 in
1419 Gaston Avenue	47 ft 3 in

SETBACKS CALCULATIONS

Under Part 5, Section D (5) of Ordinance 20060309-058, except as provided in Paragraph (6), for a lot on a block face on which four or more lots are developed for a use described in Subsection (B), the setback for the proposed duplex is figured thusly:

- a. the lot with a principal structure closest to the street is disregarded, and the lot with a principal structure farthest from the street is disregarded;
 - 39 ft. 2 in. and 47 ft. 3in. are disregarded
- b. the minimum front setback is equal to the average of the minimum front yard setbacks of the principal structures on the remaining lots minus ten percent of the distance of that average;
 - 40.4 (avg. of remaining lots) - 4.04 (10 percent) = 36.36 ft.
minimum setback
- c. the maximum front yard setback is equal to the average of the minimum front yard setbacks of the principal structures on the remaining lots plus ten percent of the distance of that average.
 - 40.4 (avg. of remaining lots) + 4.04 (10 percent) = 44.44 ft.
maximum setback

Applicant proposes a front setback of 42 ft 1 1/2 inches, so no waiver will be required for the Part 5, Setback Section of the ordinance.

PROPOSED DEVELOPMENT

Applicant proposes the following construction:

- Construct a new two story 3998 s.f. single family residence at 1411 Gaston Avenue
- Construct a detached garage 589 s.f. with an above two family residential 534 s.f.
- Proposed front set back of 42 ft. 1 1/2 in.
- Demolish existing single family residence of 2400 s.f. (demo application was filed February 8, prior to the ordinance)

Applicant proposes additional construction:

- 335 s.f. covered patio
- 14 s.f. uncovered patio
- 238 s.f. covered breezeway
- 170 s.f. walkway and steps on private property

- 637 s.f. new driveway area.

ZONING

- This lot is currently zoned Single Family Residential (SF-3).
- It lies within the West Austin Neighborhood Group, M.K. Hage, Austin Neighborhoods Council, and the Pemberton Heights Neighborhood Association.

WAIVER

The applicant requests the waiver from Part 4, Section C on the following grounds:

- The regulations imposes undue hardship on the applicant, the development proposed by the applicant will not adversely affect the public health , safety and welfare and waiving the regulation will not have a substantially adverse impact on neighboring properties.

STAFF ASSESSMENT

The information submitted with the applicant's waiver application can be summarized as follows:

- Letter from P.E. stating development will not cause additional impacts to the existing drainage system.
- Information was provided indicating undue financial hardship.
- Photos from the neighborhood submitted as evidence that the new structure will be compatible to the existing structures in the neighborhood.

STAFF RECOMMENDATION: APPROVAL

Staff recommends approval of the waiver request based on the information that the applicant has submitted.

CITY OF AUSTIN
REQUEST TO WAIVE DEVELOPMENT REGULATIONS
UNDER ORDINANCE NUMBER 20060309-058

Lot 5
W. 10 Ft. 2
Lot 6

STREET ADDRESS: 1411 Gaston Avenue
LEGAL DESCRIPTION: Subdivision Pemberton Heights
Lot(s) _____ Block 2B Outlot _____ Division _____
Zoning District: SE3 Neighborhood Plan (if applicable): _____

Type of work to be done (Select appropriate option and provide description of the proposed project):
 New Construction: Two family two story residence
Addition: _____

Please select one of the following:

1. I request a waiver to the interim development regulations because the regulations impose an undue hardship as described: see attached

The granting of this waiver will not adversely affect the public health, safety and welfare.
Explain: _____

Waiving the regulation will not have a substantially adverse impact on neighboring properties
Explain: _____

2. The following development agreement permits the activity: _____

3. I have acquired a right under Texas Local Government Chapter 245 (Issuance of Local Permits), or have a common law vested right that has been fully adjudicated by a court of competent jurisdiction. Please specify and provide supporting documentation: _____

ALL APPLICATIONS MUST BE ACCOMPANIED BY A RESIDENTIAL PERMIT APPLICATION

Signature of applicant/ owner: Allyson Hallmark

Note: The waiver application will be considered incomplete if the applicant fails to provide information requested in this application as well as requirements for residential building permit submittal. Please attach any additional information that will support your request, such as: photos, architectural drawings, letters of support from neighbors or additional documentation.

FOR STAFF USE

Date waiver application filed with City of Austin: _____

Date scheduled for City Council action: _____

BUILDING PERMIT

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION**

BP Number	<u>BP-06-5936K</u>
Building Permit No.	_____
Plat No.	_____ Date <u>6/14/06</u>
Reviewer	<u>gll</u>

PRIMARY PROJECT DATA

Service Address 1411 Gaston Avenue Tax Parcel No. _____
 Legal Description 10 Ft. of Lot 6
 Lot 5 Block 2B Subdivision Pemberton Heights ~~SPD 8~~ Section 8 Phase _____

If in a Planned Unit Development, provide Name and Case No. _____
 (attach final approved copies of subdivision and site plan)
 If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.

Description of Work _____ Remodel (specify) _____
 New Residence _____
 Duplex _____
 Garage attached _____ detached _____
 Carport attached _____ detached _____
 Pool _____
 Addition (specify) _____
 Other (specify) _____

Zoning (e.g. SF-1, SF-2...) SF 3 **SF-3** Height of building 29'9 1/4" # of floors 2

On lots with LA zoning, the approved septic permit must be submitted with the Residential Permit application for zoning approval.
 {LDC 25-2-551(B)(6)}

Does this site have a Board of Adjustment ruling? ___ Yes No If yes, attach the B.O.A. documentation
 Will this development require a cut and fill in excess of 4 feet? ___ Yes No
 Does this site front a paved street? Yes ___ No A paved alley? ___ Yes No

VALUATIONS FOR REMODELS ONLY	DATA FOR NEW CONSTRUCTION OR ADDITIONS ONLY	PERMIT FEES (For office use only)																					
Building \$ _____ Electrical \$ _____ Mechanical \$ _____ Plumbing \$ _____ Driveway & Sidewalk \$ _____ TOTAL \$ _____ (labor and materials)	Lot Size <u>11,197.20</u> sq.ft. Job Valuation \$ _____ (Labor and materials) <u>House</u> <u>Garage/Garage Apt</u> Total Job Valuation (remodels and additions) \$ _____ (Labor and materials)	<table border="1"> <thead> <tr> <th></th> <th>NEW ADDITIONS</th> <th>REMODELS</th> </tr> </thead> <tbody> <tr> <td>Building</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Electrical</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Mechanical</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Plumbing</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Driveway & Sidewalk</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>TOTAL</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </tbody> </table>		NEW ADDITIONS	REMODELS	Building	\$ _____	\$ _____	Electrical	\$ _____	\$ _____	Mechanical	\$ _____	\$ _____	Plumbing	\$ _____	\$ _____	Driveway & Sidewalk	\$ _____	\$ _____	TOTAL	\$ _____	\$ _____
	NEW ADDITIONS	REMODELS																					
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Mechanical	\$ _____	\$ _____																					
Plumbing	\$ _____	\$ _____																					
Driveway & Sidewalk	\$ _____	\$ _____																					
TOTAL	\$ _____	\$ _____																					

OWNER / BUILDER INFORMATION

OWNER	Name <u>Sid and Judy Stewart</u>	Telephone (h) <u>328-4046</u> (w) _____
BUILDER	Company Name <u>Hallmark Builders</u>	Telephone <u>474-1330</u>
DRIVEWAY / SIDEWALK	Contact/Applicant's Name <u>Allyson Hallmark</u>	Pager _____ FAX _____
CERTIFICATE OF OCCUPANCY	Name <u>Allyson Hallmark</u>	Telephone _____
	Address <u>2402 Tower Drive</u>	City <u>Austin</u> ST TX ZIP <u>78703</u>

If you would like to be notified when your application is approved, please select the method:
 ___ telephone e-mail: allyhallmark@grande.com.net

You may check the status of this application at www.ci.austin.tx.us/development/pierivr.htm

CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I also understand that if there are any trees greater than 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.

APPLICANT'S
SIGNATURE

~~XXXXXXXXXX~~ *[Handwritten Signature]*

DATE

6/1/06

Rejection Notes/Additional Comments (for office use only):

W/11/11/06 [unclear]

W/11/11/06 [unclear]

6/1/06

Service Address 1411 Gaston Ave

Applicant's Signature Allyson Hallmark

Date 6/2/06

BUILDING COVERAGE

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

House / Garage / Dept.

	Existing	New / Addition
a. 1 st floor conditioned area	sq.ft.	2752 / sq.ft.
b. 2 nd floor conditioned area	sq.ft.	1246 / 1534 sq.ft.
c. 3 rd floor conditioned area	sq.ft.	sq.ft.
d. Basement	sq.ft.	sq.ft.
e. Garage / Carport		
attached	sq.ft.	sq.ft.
<input checked="" type="checkbox"/> detached	sq.ft.	589 sq.ft.
f. Wood-decks [must be counted at 100%]	sq.ft.	sq.ft.
g. Breezeways	sq.ft.	238 sq.ft.
h. Covered patios	sq.ft.	335 sq.ft.
i. Covered porches	sq.ft.	sq.ft.
j. Balconies	sq.ft.	sq.ft.
k. Swimming pool(s) [pool surface area(s)]	sq.ft.	sq.ft.
l. Other building or covered area(s)	sq.ft.	sq.ft.
Specify _____		

TOTAL BUILDING AREA (add a. through l.) 5694 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract b., c., d., and k. if applicable)	<u>3914</u> sq.ft.
	<u>1780</u> % of lot

14 197.20

IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	<u>3914</u> sq.ft.
b. Driveway area on private property	<u>637</u> sq.ft.
c. Sidewalk / walkways on private property	<u>170</u> sq.ft.
d. Uncovered patios	<u>14</u> sq.ft.
e. Uncovered wood decks [may be counted at 50%]	sq.ft.
f. Air conditioner pads	<u>39</u> sq.ft.
g. Concrete decks	sq.ft.
h. Other (specify) _____	sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)	<u>4774</u> sq.ft.
	<u>42.6</u> % of lot



ONE STOP SHOP
505 Barton Springs

Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9779 fax

Austin Energy

Electric Service Planning Application (ESPA)

(Please Print or Type)

For Residential or Small Commercial "SERVICE ONLY" under 350 amps 1Ø or 225 amps 3Ø

Requestor's Name Allyson Hallmark Phone 474 1330
 Address 1411 Gaston Avenue OR
 Legal Description Lot 5 1/2 W. 10 ft. of Lot 6, Pemberton Heights
 Lot _____ Block 28 Commercial/Residential? _____
 Who is your electrical service provider? AE or Other

Service Main Size _____ (amps) Service Conductor _____ (type & size)
 AE Service Length _____ (ft.) Number of Meters? _____ Multi-Fuel Y N
 Overhead/Underground? Voltage RR Single-phase (1Ø) Three-phase (3Ø)
 Total Square Footage _____ New service or upgrade
 Largest A/C unit _____ (Tons) OR LRA of Largest A/C Unit _____ (amps)
 Electric Heating _____ (kW) Other _____ (kW)

Comments: New Service

ESPA Completed by (Signature & Print name) _____ Date _____ Phone _____

AE Representative _____ Date _____
(Remarks on back) Phone 974-2632

Application expires 90 days after date of Approval

Revised by Austin Energy 3/1/06

AE APPROVED
JUN 01 2006
RLS 151-0

PROOF OF HARDSHIP

Stephen L. Hallmark, Inc.
Dba Hallmark Builders
Allyson Hallmark
2402 Tower Drive
Austin, Texas 78703
512-474-1330
June 5, 2006

Re: Request to Waive Development Regulations
Address: 1411 Gaston Avenue
Austin, Texas 78703

To Whom It May Concern:

My clients, Dr. Sid and Judy Stewart, recently purchased a house located at 1411 Gaston Avenue, Austin, Texas 78703. This house was placed under contract in December 2005 and a demolition permit was issued on February 8, 2006 so the Stewarts could building a home more suited for their family needs than the existing two story home. The Stewarts began the lengthy process of designing of their new home to meet the building ratios of 40% for the total building coverage and 45% impervious coverage ratio. The new ordinance was imposed so quickly and it poses a hardship on my clients in regards to the FAR requirements. Please let me emphasis, the design does met the pre-ordinance building ratios that were in effect prior to 02/09/06.

The Floor Area Ratio requirement of 40% is exceeded by $\frac{1}{2}$ of 1% with the current home design. The lot size is 11,197.20 sq. ft. which allows for a home and second story garage apartment not to exceed 4,478.88 sq. ft. The design plans include a first floor of 2,752 sq. ft.; second floor of 1,246 sq. ft.; a two story garage consisting of 598 sq. ft. on the first level and a second story garage apartment of 534 sq. ft. It is my understanding the first level garage is exempt in the FAR calculations. Based on the above interpretations, the calculated FAR ratio is 40.47%.

The newly designed home will be placed on the lot at the same location as the previous home was located - 42 ft. 1 $\frac{1}{2}$ in. from the property line which exceeds the required 25 ft. city zoning setback for SF-3. The side and rear setbacks of the proposed construction are within the new guidelines of the new ordinance. The height of the newly designed home is 29 ft. 9 $\frac{1}{4}$ in. which meets the current ordinance guidelines of 32 ft. 3 $\frac{1}{2}$ in. Overall granting this waiver will not have an adverse impact on the neighboring properties and will be a home tastefully designed to fit the character of the neighborhood.

Council Members please take into consideration that Dr. Stewart suffered a stroke in June 2005 which has impaired his health and now requires constant medical attention. Due to Dr. Stewart's health condition, Mrs. Stewart needs to be closer to central Austin medical facilities in order for her husband to receive the medical attention he requires. The drive from their current home is about 30 minutes to the doctor's offices. Due to Dr. Stewart's post stroke condition, Mrs. Stewart has turned her dining room into a makeshift bedroom for Dr. Stewart because he is currently unable to climb the stairs to the master bedroom at their current home. The proposed construction of the Gaston apartment above the garage will allow Mrs. Stewart to provide housing for a nurse to help with the care of Dr. Stewart in the future. The central location of 1411 Gaston Avenue will provide convenient access to medical centers for Mr. Stewart and a safe commute for their daughter to school.

Thank you for your consideration and look forward to receiving a waiver on this home.

Sincerely,

Allyson Hallmark

DRAINAGE



7500 Hwy 71 West, Suite 106
Austin, TX 78735

(512) 301-3369 (o)
(512) 301-3348 (f)

June 13, 2006

Director
Watershed Protection and Development Review Department
505 Barton Springs Road
Austin, TX 78703

**RE: Engineer's Drainage Certification
1411 Gaston Avenue
Austin, TX**

To Whom It May Concern:

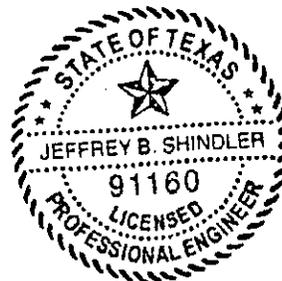
I certify that I have personally conducted a topographic review and field investigation of the existing and proposed flow patterns for stormwater runoff from the subject lot to Shoal Creek. At build-out conditions allowable by zoning, restrictive covenant or plat note, the stormwater flows from the subject subdivision will not cause any increase in flooding conditions to the interior of existing building structures, including basement areas, for storms of magnitude up through the 100-year event.

Existing site drainage is toward the Gaston Avenue ROW. There is an existing masonry stem wall between the site and the downstream lot. Contractor should maintain existing flow patterns and direct all site drainage toward Gaston Avenue. Contractor should maintain the existing stem wall.

Sincerely,



Jeff Shindler, P.E.



Residential/Commercial
Civil & Structural Engineering

FINANCIAL INFORMATION

BLAZIER, CHRISTENSEN, BIGELOW & VIRR

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS

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**BOARD CERTIFIED TAX LAW, TEXAS BOARD OF LEGAL SPECIALIZATION
***BOARD CERTIFIED ESTATE PLANNING & PROBATE, TEXAS BOARD OF LEGAL SPECIALIZATION

WRITER'S DIRECT EMAIL: jblazier@blazierlaw.com

June 12, 2006

Mr. Steve Hallmark
2400 Tower Drive
Austin, Texas 78703

RE: Background on Sale of Mrs. Sally Rudd's Home
Address: 1411 Gaston Ave. Austin, Texas

Dear Mr. Hallmark:

I am responding to your request to provide you some background on the sale by Sally Rudd of her home. [REDACTED]

[REDACTED] Steve Smith her financial adviser and I began to encourage her to sell her home. Our discussions began in the fall of 2004 and we were patient for we knew that selling the home was very difficult psychological matter. As the months passed, it became clear that the home was deteriorating and a considerable investment would be required to repair it.

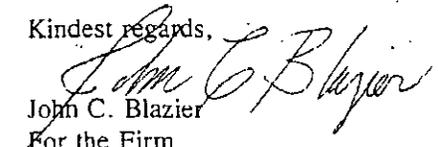
In fall of 2005, Mrs. Rudd advised us that she was willing to consider selling her home and now she faced the challenge of developing a plan to dispose of 60 plus years of furnishing etc. We met and worked on a plan that her only son John agreed to execute. In the fall of 2005, Sally met with Dr. Sid Stewart and his wife Judy and she like them. Dr. Stewart [REDACTED] and his wife wanted to have a home that was closer to Seton and other medical facilities. Sally met with the Stewarts over the course of several weeks she decided to allow them to purchase her home. The Stewart's were very open with Mrs. Rudd and indicated that if they purchased the home, they would build a new home in its place. Attach to this letter is a photo of the home that they provided to her.

In December Mrs. Rudd and Dr. and Mrs. Stewart entered into a contract for the purchase of the 1411 Gaston Ave. Property. Mrs. Rudd agreed to apply for the demolition permit and we were successful in obtaining the approval to demolish the existing structure.

The closing was set for late April to accommodate the Mr. John Rudd and his efforts to get all of his mother's possession distributed to nieces, nephews etc. The closing took place on April 27th and the purchase price was [REDACTED] I am including a copy of the closing statement with this letter.

I hope this information is helpful.

Kindest regards,


John C. Blazier
For the Firm

Enclosures
(as stated)

cc: Dr. Sidney & Judy Stewart



HUD - 1 UNIFORM SETTLEMENT STATEMENT

OMB Approval No. 2502-0265

A. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			SETTLEMENT STATEMENT	
B. TYPE OF LOAN		6. File Number:		7. Loan Number:
3. Conv. Unins.	1. X FHA	2. FmHA		
	4. VA	5. Conv. Ins.	8. Mortgage Insurance Case Number	
C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals. NOTE: TIN = Taxpayer's Identification Number				
D. NAME AND ADDRESS OF BORROWER: Sidney Carl Stewart Judy Catherine Stewart 4201 Hampstead Austin, TX 78746		E. NAME, ADDRESS AND TIN OF SELLER: Sally Rudd, indiv & indep executor 4409 Gaines Ranch Loop Austin, TX 78735		F. NAME AND ADDRESS OF LENDER: N/A
G. PROPERTY LOCATION: 1411 Gaston Avenue Austin, TX 78703 5, W10' Lot 6, Bl 28		H. SETTLEMENT AGENT NAME, ADDRESS AND TIN FLEUR A. CHRISTENSEN 221 W. 6TH STREET, STE 1500, AUSTIN, TX 78701 PLACE OF SETTLEMENT		
		I. SETTLEMENT DATE 04/27/2006		

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		400. GROSS AMOUNT DUE TO SELLER:	
101. Contract sales price		401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (Line 1400)		403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. GROSS AMOUNT DUE FROM BORROWER		420. GROSS AMOUNT DUE TO SELLER	
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		500. REDUCTIONS IN AMOUNT DUE TO SELLER:	
201. Deposit or earnest money		501. Excess deposit	
202. Principal amount of new loan(s)		502. Settlement charges to seller (Line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes		510. City/town taxes	
211. County taxes		511. County taxes	
212. Assessments		512. Assessments	
213. 117 days of taxes prorated		513.	
214. @12.606/day		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. TOTAL PAID BY/FOR BORROWER		520. TOTAL REDUCTION AMOUNT DUE SELLER	
300. CASH AT SETTLEMENT FROM/TO BORROWER		600. CASH AT SETTLEMENT FROM/TO SELLER	
301. Gross amount due from borrower (Line 120)		601. Gross amount due to seller (Line 420)	
302. Less amount paid by/for borrower (Line 220)		602. Less reduction in amount due seller (Line 520)	
303. CASH FROM BORROWER		603. CASH TO SELLER	

SELLER'S STATEMENT

The information contained in Blocks E, G, H, and I and on line 401 (or, if line 401 is asterisked, line 403 and 404) is important tax information and is being furnished to the Internal Revenue Service (see Seller Certification). If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. You are required to provide the Settlement Agent with your correct taxpayer identification number. If you do not provide the Settlement Agent with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law. Under penalties of perjury, I certify that the number shown on this statement is my correct taxpayer identification number.

Sally Rudd
(Seller's Signature) Sally Rudd, indiv & indep

(Seller's Signature) executor

L. SETTLEMENT CHARGES

	PAID FROM BORROWER'S FUNDS AT SETTLEMENT	PAID FROM SELLER'S FUNDS AT SETTLEMENT
700. TOTAL SALES/BROKER'S COMMISSION based on price \$ [redacted] @		
Division of Commission (line 700) as follows:		
701. \$		
702. \$		
703. Commission paid at Settlement:		
704.		
800. ITEMS PAYABLE IN CONNECTION WITH LOAN		
801. Loan Origination Fee \$		
802. Loan Discount \$		
803. Appraisal Fee to		
804. Credit report to		
805. Lender's Inspection Fee		
806.		
807.		
808.		
809.		
810.		
811.		
812.		
813.		
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE		
901. Interest from		
902. Mortgage Insurance Premium for		
903. Hazard insurance Premium for		
904.		
905.		
1000. RESERVES DEPOSITED WITH LENDER		
1001. Hazard insurance		
1002. Mortgage insurance		
1003. City Property Taxes		
1004. County Property Taxes		
1005. Annual assessments		
1006.		
1007.		
1008. Aggregate Accounting Adjustment		
1100. TITLE CHARGES		
1101. Settlement or closing fee to		
1102. Abstract or title search to		
1103. Title Examination to		
1104. Title insurance binder to		
1105. Document preparation to		
1106. Notary fees to		
1107. Attorney's fees to POC (includes line numbers:		
1108. Title Insurance to Heritage Title Company of Austin (includes line numbers:		
1109. Lender's coverage \$		
1110. Owner's coverage \$		
1111. Guaranty fee-Heritage Title Company of Austin		
1112.		
1113.		
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES		
1201. Recording fees: Deed \$ [redacted] Mortgage \$ [redacted] Release \$ [redacted]		
1202. City/cnty tax/stamps: Deed \$ [redacted] Mortgage \$ [redacted]		
1203. State tax/stamps: Deed \$ [redacted] Mortgage \$ [redacted]		
1204.		
1205.		
1300. ADDITIONAL SETTLEMENT CHARGES		
1301. Survey Paid outside closing by Buyer		
1302. Pest inspection to		
1303.		
1304.		
1305.		
1306.		
1400. TOTAL SETTLEMENT CHARGES (enter on lines 103, Section J and 502, Section K)		

CERTIFICATION: I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I received a copy of the HUD-1 Settlement Statement.

Seller Sally Rudd
Sally Rudd

Borrower Sidney Carl Stewart
Sidney Carl Stewart

Seller executor

Borrower Judy Catherine Stewart
Judy Catherine Stewart

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of the funds disbursed or to be disbursed by the undersigned as part of the settlement of this transaction.

04/27/2006

Settlement Agent Fleur A. Christensen

Date

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

11-GF# 53255 ALF
RETURN TO: HERITAGE TITLE
401 CONGRESS, SUITE 1500
AUSTIN, TEXAS 78701



WD 2006077817
2 PGS

RET. HERITAGE TITLE CO.

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

General Warranty Deed

2

Date: April 27, 2006

Grantor: Sally Frances Rudd a/k/a Sally Strawn Rudd, individually and as Independent Executrix of the Estate of John Speed Rudd, Jr., Deceased

Grantor's Mailing Address: 4409 Gaines Ranch Loop, Austin, Travis County, Texas 78735

Grantee: Sidney Carl Stewart and Judy Catherine Staha Stewart

Grantee's Mailing Address: 4201 Hampsted, Austin, Travis County, Texas 78746

Consideration: Ten and no/100 (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties, except for the warranties of title set forth in this deed.

Property (including any improvements): Lot 5 and the West ten (10) feet of Lot 6, Block 28, PEMBERTON HEIGHTS SECTION 8, an subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page(s) 29, Plat Records, Travis County, Texas.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Any and all easements, restrictions, covenants, and conditions of record in the office of the Clerk of Travis County, Texas, including but not limited to:

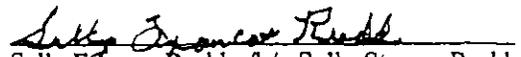
1. Public utility easement 5 feet in width along the rear property line(s), as stated by the Plat(s) recorded in Volume 4, Page(s) 29, Plat Records, Travis County, Texas;
2. Building setback requirements as set out in Volume 630, page 203, Deed Records, Travis County, Texas;
3. Encroachment of one-story wood/frame garage into the 10 foot by 100 foot building

line as evidenced by the survey dated January 9, 2006, prepared by James M. Grant, Registered Professional Land Surveyor No. 1919;

4. Wall not on line along the southeast property line as shown on survey;
5. Chain link fence not on line along the southwest property line as shown on survey;
6. Chain link fence(s) and wall encroachment into public utility easement as shown on survey.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

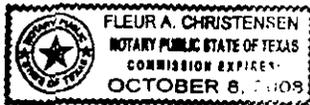
When the context requires, singular nouns and pronouns include the plural.


Sally Frances Rudd a/k/a Sally Strawn Rudd,
Individually and as Independent Executrix of
the Estate of John Speed Rudd, Jr., Deceased

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me by Sally Frances Rudd a/k/a Sally Strawn Rudd, individually and in her capacity as Independent Executrix of the Estate of John Speed Rudd, Jr., Deceased, this 29th day of April, 2006.




Notary Public, State of Texas

After recording return to:

Blazier, Christensen, Bigelow & Virr
221 West 6th Street, Ste 1500
Austin, Texas 78701

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2006 Apr 28 03:34 PM 2006077817

CAMBRAYR \$20.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

PHOTOS

**SUBJECT PROPERTY
1411 GASTON AVENUE**



TRAVELING WEST TO EAST ON GASTON
1423 GASTON AVENUE
SWC OF HARRIS BLVD. /GASTON AVENUE



1419 GASTON AVENUE



1415 GASTON AVENUE



HOUSE ALONG THE WEST LINE OF SUBJECT
1413 GASTON AVENUE



**1407 GASTON AVENUE
HOUSE ALONG THE EAST LINE OF SUBJECT**



1403 GASTON AVENUE



1401 GASTON AVENUE



TRAVELING EAST TO WEST ON GASTON

1418 GASTON AVENUE



1414 GASTON AVENUE



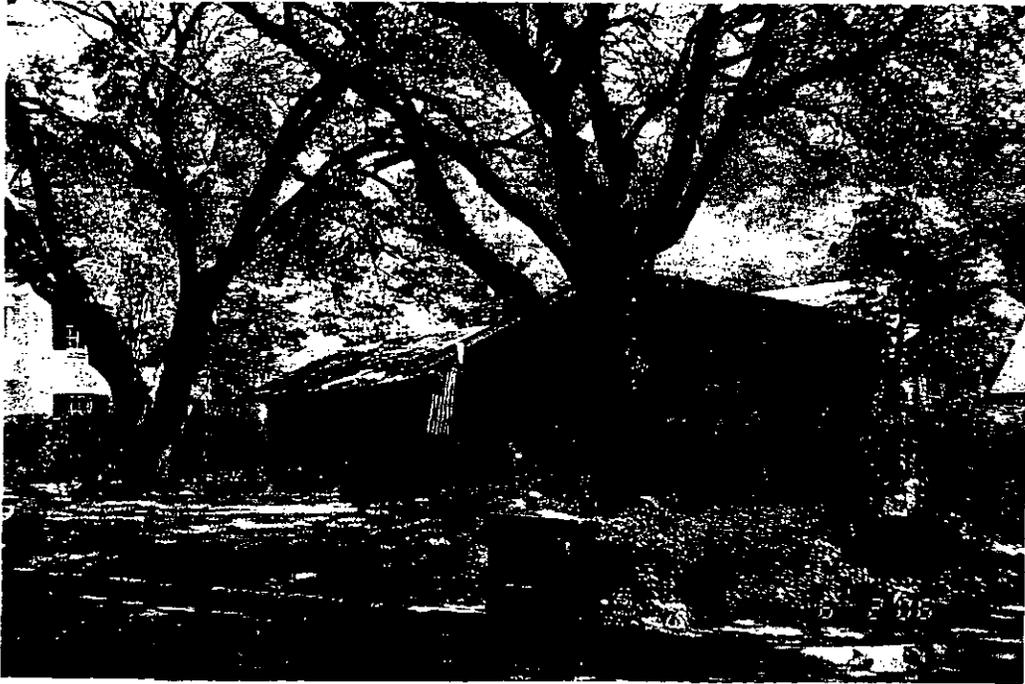
1412 GASTON AVENUE



1410 GASTON AVENUE



1406 GASTON AVENUE



1404 GASTON AVENUE



SUBJECT CAD

TaxNetUSA: Travis County Property Information

Property ID Number: 115754 Ref ID2 Number: 0116000904000

Owner's Name **STEWART SIDNEY CARL &**
 Mailing Address **JUDY CATHERINE STAHA STEWART
 4201 HAMPSTED CT
 AUSTIN, TX 78746-**
 Location **1411 GASTON AV 78703**
 Legal **LOT 5 * & W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8**

Property Details

Deed Date 04272006
 Deed Volume
 Deed Page
 Exemptions HS, OA,
 Freeze Exempt F
 ARB Protest F
 Agent Code 0
 Land Acres 0.0000
 Block 28
 Tract or Lot 5; 6
 Docket No.
 Abstract Code S10606
 Neighborhood Code Z7550

Value Information

2006 Preliminary

Land Value 325,000.00
 Improvement Value 331,805.00
 AG Value 0.00
 AG Productivity Value 0.00
 Timber Value 0.00
 Timber Productivity Value 0.00
 Assessed Value 545,870.00
 10% Cap Value 110,735.00
 Total Value 656,605.00

Data up to date as of 2006-06-05

- AGRICULTURAL (1-D-1)
- APPOINTMENT OF AGENT FORM
- FREEPORT EXEMPTION
- HOMESTEAD EXEMPTION FORM
- PRINTED FRIENDLY REPORT
- PROTEST FORM
- RELIGIOUS EXEMPTION FORM
- PLAT MAP (TIFF)
- PLAT MAP (PDF)

Value By Jurisdiction

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	545,870.00	545,870.00	656,605.00	656,605.00
01	AUSTIN ISD	1.623000	545,870.00	495,870.00	656,605.00	656,605.00
02	CITY OF AUSTIN	0.443000	545,870.00	494,870.00	656,605.00	656,605.00
03	TRAVIS COUNTY	0.499300	545,870.00	371,696.00	656,605.00	656,605.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	545,870.00	371,696.00	656,605.00	656,605.00

68 AUSTIN COMM COLL DIST 0.099100 545,870.00 465,411.00 658,605.00 658,605.00

Improvement Information

Improvement ID State Category Description
 113311 A1 1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113311	119299	1ST	1st Floor	WW	1940	1,478
113311	119300	2ND	2nd Floor	WW	1940	924
113311	438458	011	PORCH OPEN 1ST F	.	1940	160
113311	438459	012	PORCH OPEN 2ND F	.	1940	160
113311	438480	031	GARAGE DET 1ST F	WW	1940	380
113311	438481	095	HVAC RESIDENTIAL	.	1940	2,400
113311	438482	251	BATHROOM	.	1940	1
113311	438484	522	FIREPLACE	.	1940	1
Total Living Area						2,400

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
115485	LAND	A1	T	0.000	0	0	0

Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
		2005		
2005	0A	TRAVIS CENTRAL APP DIST	498,245.00	498,245.00
2005	01	AUSTIN ISD	496,245.00	448,245.00
2005	02	CITY OF AUSTIN	498,245.00	445,245.00
2005	03	TRAVIS COUNTY	498,245.00	331,996.00
2005	2J	TRAVIS CO HOSPITAL DIST	498,245.00	331,996.00
2005	68	AUSTIN COMM COLL DIST	498,245.00	416,245.00

Year	District Code	District Name	Value 1	Value 2
2004				
2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	541,832.00	451,132.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	541,832.00	451,132.00
2004	02	CITY OF AUSTIN	541,832.00	451,132.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	541,832.00	451,132.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	541,832.00	451,132.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	541,832.00	451,132.00
2003				
2003	0A		538,412.00	410,120.00
2003	01		538,412.00	360,120.00
2003	02		538,412.00	359,120.00
2003	03		538,412.00	263,096.00
2003	68		538,412.00	330,120.00
2002				
2002	0A		538,412.00	372,837.00
2002	01		538,412.00	322,837.00
2002	02		538,412.00	321,837.00
2002	03		538,412.00	233,270.00
2002	68		538,412.00	292,837.00
2001				
2001	0A		538,412.00	338,943.00
2001	01		538,412.00	288,943.00
2001	02		538,412.00	287,943.00
2001	03		538,412.00	206,154.00
2001	68		538,412.00	258,943.00
2000				
2000	01		391,953.00	258,130.00
2000	02		391,953.00	257,130.00
2000	03		391,953.00	181,504.00
2000	68		391,953.00	228,130.00

ADJACENT TCAD

TaxNetUSA: Travis County Property Information

Property ID Number: 115755 Ref ID2 Number: 01160009050000

Owner's Name **NASH CHARLES DURHAM**
 Mailing Address **P O BOX 1988
 AUSTIN, TX 78787-1988**
 Location **1407 GASTON AV 78703**
 Legal **E 60 FT OF LOT 6 * & W 30 FT OF LOT 7 BLK 28 PEMBERTON HEIGHTS SEC 8**

Property Details

Deed Date
 Deed Volume
 Deed Page
 Exemptions **HS, OA, DV4,**
 Freeze Exempt **F**
 ARB Protest **F**
 Agent Code **0**
 Land Acres **0.0000**
 Block **28**
 Tract or Lot **8; 7**
 Docket No.
 Abstract Code **S10606**
 Neighborhood Code **27550**

Value Information

2006 Preliminary

Land Value **357,500.00**
 Improvement Value **441,090.00**
 AG Value **0.00**
 AG Productivity Value **0.00**
 Timber Value **0.00**
 Timber Productivity Value **0.00**
 Assessed Value **677,457.00**
 10% Cap Value **121,133.00**
 Total Value **798,590.00**

Data up to date as of 2006-06-05

- AGRICULTURAL (1-D-1)
- APPOINTMENT OF AGENT FORM
- FREEPORT EXEMPTION
- HOMESTEAD EXEMPTION FORM
- PRINTER FRIENDLY REPORT
- PROTEST FORM
- RELIGIOUS EXEMPTION FORM
- PLAT MAP (TIFF)
- PLAT MAP (PDF)

Value By Jurisdiction

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	677,457.00	685,457.00	798,590.00	798,590.00
01	AUSTIN ISD	1.623000	677,457.00	615,457.00	798,590.00	798,590.00
02	CITY OF AUSTIN	0.443000	677,457.00	614,457.00	798,590.00	798,590.00
03	TRAVIS COUNTY	0.499300	677,457.00	484,968.00	798,590.00	798,590.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	677,457.00	484,968.00	798,590.00	798,590.00
68	AUSTIN COMM COLL DIST	0.099100	677,457.00	583,682.00	798,590.00	798,590.00

Improvement Information

Improvement ID
113312

State Category
A1

Description
1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113312	119302	1ST	1st Floor	WW	1950	2,543
113312	119303	FBSMT	Finished Basement	WW	1950	875
113312	438466	011	PORCH OPEN 1ST F	*	1950	30
113312	438467	061	CARPORT ATT 1ST	*	1950	540
113312	438468	085	HVAC RESIDENTIAL	*	1950	3,218
113312	438469	251	BATHROOM	*	1950	1
113312	438470	320	OBS DRIVEWAY	8DC	1950	1
113312	438471	522	FIREPLACE	*	1950	1
113312	438472	531	OBS FENCE	CAS	1950	1
Total Living Area						3,218

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft
115466	LAND	A1	T	0.000	0	0	0

Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
2005	0A	TRAVIS CENTRAL APP DIST	615,870.00	603,870.00
2005	01	AUSTIN ISD	615,870.00	553,870.00
2005	02	CITY OF AUSTIN	615,870.00	552,870.00
2005	03	TRAVIS COUNTY	615,870.00	415,696.00
2005	2J	TRAVIS CO HOSPITAL DIST	615,870.00	415,696.00
2005	68	AUSTIN COMM COLL DIST	615,870.00	522,711.00
2004				

2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	645,965.00	559,882.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	645,965.00	559,882.00
2004	02	CITY OF AUSTIN	645,965.00	559,882.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	645,965.00	559,882.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	645,965.00	559,882.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	645,965.00	559,882.00
2003				
2003	0A		641,012.00	508,984.00
2003	01		641,012.00	446,984.00
2003	02		641,012.00	445,984.00
2003	03		641,012.00	330,187.00
2003	68		641,012.00	416,894.00
2002				
2002	0A		641,012.00	462,713.00
2002	01		641,012.00	400,713.00
2002	02		641,012.00	399,713.00
2002	03		641,012.00	293,170.00
2002	68		641,012.00	370,713.00
2001				
2001	0A		641,012.00	420,649.00
2001	01		641,012.00	358,649.00
2001	02		641,012.00	357,649.00
2001	03		641,012.00	259,519.00
2001	68		641,012.00	328,649.00
2000				
2000	01		603,277.00	320,409.00
2000	02		603,277.00	319,409.00
2000	03		603,277.00	228,927.00
2000	68		603,277.00	290,409.00

TaxNetUSA: Travis County Property Information

Property ID Number: 115753 Ref ID2 Number: 01160009030000

Owner's Name **REDDING J SCOTT & KELLY C**
 Mailing Address 1413 GASTON AVE
 AUSTIN, TX 78703-2513
 Location 1413 GASTON AV 78703
 Legal LOT 4 * & E 30 FT OF LOT 3 BLK 28 PEMBERTON HEIGHTS SEC 8

Property Details

Deed Date 12122005
 Deed Volume
 Deed Page
 Exemptions HS,
 Freeze Exempt F
 ARB Protest T
 Agent Code 2553
 Land Acres 0.0000
 Block 28
 Tract or Lot 4; 3
 Docket No.
 Abstract Code S10606
 Neighborhood Code Z7560

Value Information

2006 Preliminary

Land Value 390,000.00
 Improvement Value 813,355.00
 AG Value 0.00
 AG Productivity Value 0.00
 Timber Value 0.00
 Timber Productivity Value 0.00
 Assessed Value 1,203,355.00
 10% Cap Value 0.00
 Total Value 1,203,355.00

Data up to date as of 2006-06-05

- AGRICULTURAL (1-D-1)
- APPOINTMENT OF AGENT FORM
- FREEPORT EXEMPTION
- HOMESTEAD EXEMPTION FORM
- PRINTER FRIENDLY REPORT
- PROTEST FORM
- RELIGIOUS EXEMPTION FORM
- (TIFF) PLAT MAP
- (PDF) PLAT MAP

Value By Jurisdiction

Entity Code	Entity Name	2005 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST	0.000000	1,203,355.00	1,203,355.00	1,203,355.00	1,203,355.00
01	AUSTIN ISD	1.623000	1,203,355.00	1,188,355.00	1,203,355.00	1,203,355.00
02	CITY OF AUSTIN	0.443000	1,203,355.00	1,203,355.00	1,203,355.00	1,203,355.00
03	TRAVIS COUNTY	0.489300	1,203,355.00	862,684.00	1,203,355.00	1,203,355.00
2J	TRAVIS CO HEALTHCARE DIST	0.077900	1,203,355.00	862,684.00	1,203,355.00	1,203,355.00
68	AUSTIN COMM COLL DIST	0.099100	1,203,355.00	1,191,321.00	1,203,355.00	1,203,355.00

Improvement Information

Improvement ID
113310

State Category
A1

Description

1 FAM DWELLING

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
113310	118298	1ST	1st Floor	WW	1951	3,584
113310	438448	011	PORCH OPEN 1ST F	.	1951	340
113310	438449	041	GARAGE ATT 1ST F	WW	1951	378
113310	438450	085	HVAC RESIDENTIAL	.	1951	3,584
113310	438451	251	BATHROOM	.	1951	2
113310	438452	812	TERRACE UNCOVERD	.	1951	462
113310	438453	812	TERRACE UNCOVERD	.	1951	301
Total Living Area						3,594

Land Information

Land ID
115484

Type Code
LAND

SPTB Code
A1

Homesite
T

Size-Acres
0.000

Front
0

Depth
0

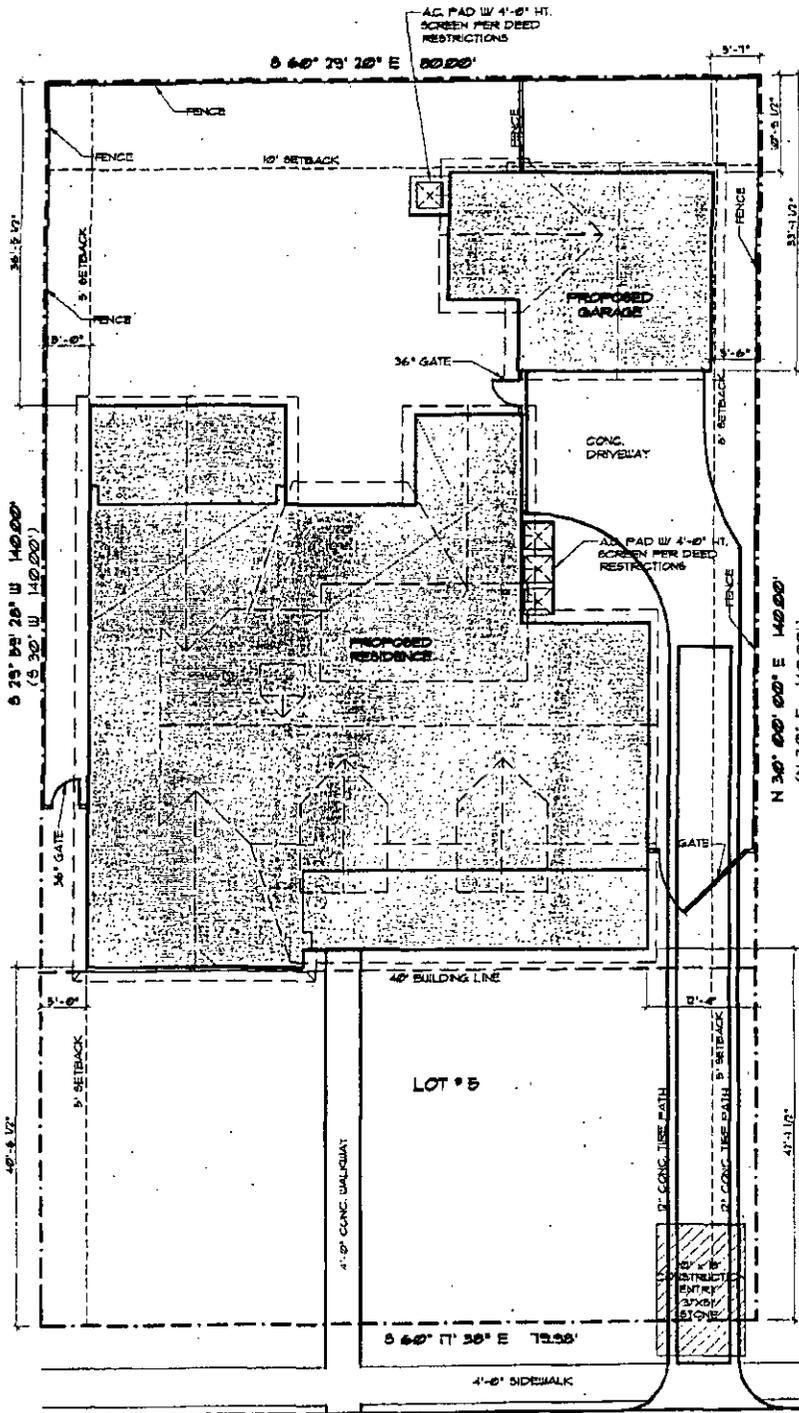
Size-Sqft
0

Certified Value History

Year	Jur	Entity Name	Assessed Value	Taxable Value
2005				
2005	0A	TRAVIS CENTRAL APP DIST	741,188.00	741,188.00
2005	01	AUSTIN ISD	741,188.00	728,188.00
2005	02	CITY OF AUSTIN	741,188.00	741,188.00
2005	03	TRAVIS COUNTY	741,188.00	582,950.00
2005	2J	TRAVIS CO HOSPITAL DIST	741,188.00	582,950.00
2005	68	AUSTIN COMM COLL DIST	741,188.00	733,778.00
2004				
2004	0A	TRAVIS CENTRAL APPRAISAL DISTRICT	783,399.00	673,807.00
2004	01	AUSTIN INDEPENDENT SCHOOL DISTRICT	783,399.00	673,807.00

2004	02	CITY OF AUSTIN	793,399.00	673,807.00
2004	03	TRAVIS COUNTY (M&O,I&S,SPEC RD & BRIDGE)	793,399.00	673,807.00
2004	2J	TRAVIS COUNTY HOSPITAL DISTRICT	793,399.00	673,807.00
2004	68	AUSTIN COMMUNITY COLLEGE DISTRICT	793,399.00	673,807.00
2003				
2003	0A		714,482.00	559,468.00
2003	01		714,482.00	544,468.00
2003	02		714,482.00	559,468.00
2003	03		714,482.00	447,574.00
2003	68		714,482.00	553,873.00
2002				
2002	0A		500,000.00	500,000.00
2002	01		500,000.00	485,000.00
2002	02		500,000.00	500,000.00
2002	03		500,000.00	400,000.00
2002	68		500,000.00	495,000.00
2001				
2001	0A		649,160.00	408,838.00
2001	01		649,160.00	358,838.00
2001	02		649,160.00	357,838.00
2001	03		649,160.00	262,070.00
2001	68		649,160.00	328,838.00
2000				
2000	01		472,382.00	321,671.00
2000	02		472,382.00	320,671.00
2000	03		472,382.00	232,337.00
2000	68		472,382.00	291,671.00

SITE PLAN



GENERAL SITE NOTES:

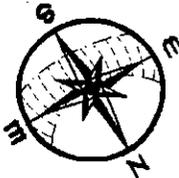
- 1.0 BUILDER TO RESHAPE/TOP/FINISH GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
- 2.0 FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
- 3.0 MAXIMUM AMOUNT OF EXPOSED FOUNDATION TO BE 74" UNLESS NOTED OTHERWISE BY CITY, COUNTY OR SUBDIVISION REQUIREMENTS.
- 4.0 THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
- 5.0 UTILITY LINE LOCATIONS ARE APPROXIMATE - GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
- 6.0 VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
- 7.0 EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 8.0 STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 9.0 CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUTS/LOCATIONS PRIOR TO COMMENCING WORK.
- 10.0 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVEWAYS, WALKS AND PATIOS.
- 11.0 ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS, DEED RESTRICTIONS OF RESIDUATION OR NEIGHBORHOOD ASSOCIATION.
- 12.0 GARBAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANNUAL ACCESS.
- 13.0 LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
- 14.0 ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- 15.0 LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
- 16.0 NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER APPROVAL.
- 17.0 ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 24" BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
- 18.0 CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.

PERVIOUS COVER CALCS

(RESIDENCE)	3,942 / 35%
(WALKWAY)	170 / 0%
(DRIVEWAY)	537 / 0%
IMPERVIOUS:	4,749 / 42%
PERVIOUS:	6,454 / 58%
TOTAL	11,203 / 100%

LEGAL DESCRIPTION:

141 GASTON AVENUE
 LOT 5 WEST 10'-0" OF LOT 6
 BLOCK 28, SECTION 8
 PEBBLETON HEIGHTS
 AUSTIN, TEXAS 78763
 TRAVIS COUNTY



SITE PLAN

SCALE: 1" = 20'-0"

AE APPROVED
 JUN 14 2006
 RLS 163-30

GENERATOR GROUP ARCHITECTS

STANDARD RES
 SHEET NO.
A-7
 10/1

PROJECT NO. 0619
 DRAWN BY: CSD
 DATE: 05 APR 2006
 CHECKED BY:

LAND STATUS DETERMINATION



City of Austin
Watershed Protections & Development Review

LAND STATUS DETERMINATION
LEGAL TRACT PLATTING EXCEPTION

06/02/2006

File Number: C8I-06-0260

Address: 1411 GASTON AVE

Tax Parcel I.D.: 0116000904

Map Date: 10/24/2003

The Watershed Protections & Development Review has determined that this property as described in the attached description and map:

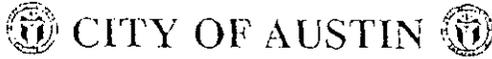
Is a **LEGAL TRACT** consisting of Lot 5 and the west ten (10) feet of Lot 6, Block 28, Pemberton Heights Section 8, created prior to 03/14/1946 (Grandfather Date) as evidenced by deed recorded in Volume 630, Page 203 of the Travis County Deed Records on 11/08/1939 being the same property as currently described in deed recorded in Document #2006077817 of the Travis County Deed Records on 04/28/2006, and is eligible to receive utility service.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Sara Groves
SARA GROVES
Director (or representative)
Watershed Protections & Development Review

Ac



CITY OF AUSTIN
WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT
LAND STATUS DETERMINATION APPLICATION

Legal Tract

1987 Rule Exception
 1995 Rule Exception

Health / Safety Exception
 Five-Acre Exception

PROJECT INFORMATION: (Department Use Only)

Grandfather/Exception Date: 3-14-46

Filing Date: 06-0-06 Accepted by: Rosenoff

File Number: 08-00-0260 Case Manager: Monte

PROPERTY INFORMATION

Tax Parcel Identification Number: 01-1600-0904-0000

Location Address: 1411 Gaston Avenue

Subdivision Name: Pemberton Heights Section 8

Whole Lot #s: 5 Partial Lot #s: W. 10 Ft. of Lot 6 Block #s: 28

Recorded in Plat book: 4 Page: 29 County: Travis

If no subdivision

Acres out of _____ Survey in _____ County: _____

DEED INFORMATION

Deed conveying tract to current owner is filed for Record in: (if no Volume/Page, use Document No.)
Instrument # 2006077817

Volume _____ Page _____ County: Travis Date: 4/28/06

Deed pre-dating (grandfather date or exception date) is filed for Record in:

Volume 630 Page 203 County: Travis Date: 11-9-1931

OWNER INFORMATION

Name: Stewart, Sid and Judy

Street Address: 4201 Hampsted

City: Austin State: Tex Zip: 78746 Tel: 328-4046

PRIMARY CONTACT INFORMATION

Firm Name: Allyson Hallmark Contact: _____

Street Address: 2402 Tower Drive

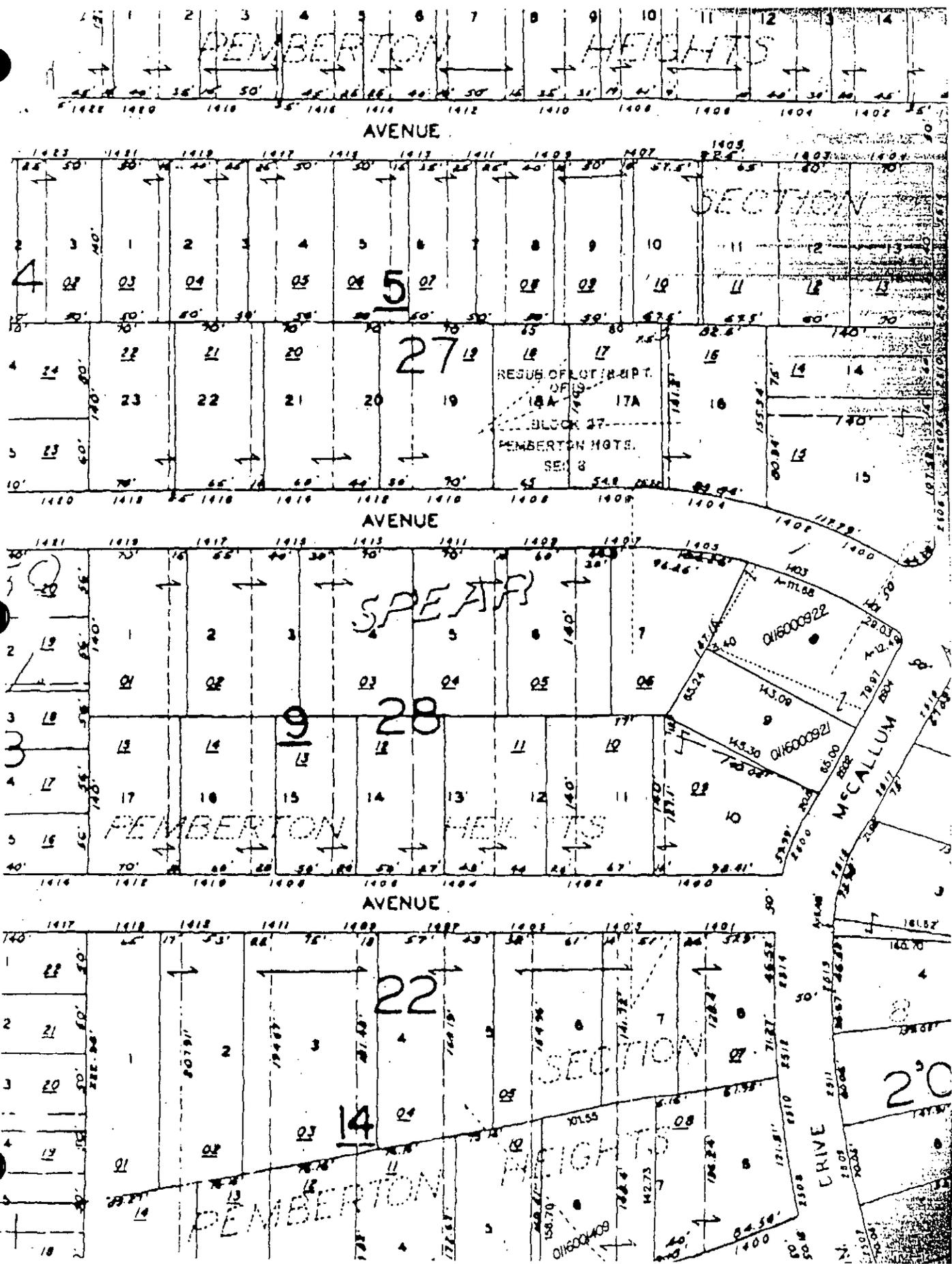
City: Austin State: Texas Zip: 78703

Telephone: 512-476-5270 FAX: _____

512-474-1330

Allyson Hallmark
Applicant's Signature

6/1/06
Date



PEMBERTON HEIGHTS

SECTION 27

SECTION 28

SECTION 20

PEMBERTON HEIGHTS

SECTION 20

SPEAR

MCCALLUM DRIVE

RESUB. OF LOT 18-21 P.T. OF 19-17A-17B-17C-17D-17E-17F-17G-17H-17I-17J-17K-17L-17M-17N-17O-17P-17Q-17R-17S-17T-17U-17V-17W-17X-17Y-17Z-17AA-17AB-17AC-17AD-17AE-17AF-17AG-17AH-17AI-17AJ-17AK-17AL-17AM-17AN-17AO-17AP-17AQ-17AR-17AS-17AT-17AU-17AV-17AW-17AX-17AY-17AZ-17BA-17BB-17BC-17BD-17BE-17BF-17BG-17BH-17BI-17BJ-17BK-17BL-17BM-17BN-17BO-17BP-17BQ-17BR-17BS-17BT-17BU-17BV-17BW-17BX-17BY-17BZ-17CA-17CB-17CC-17CD-17CE-17CF-17CG-17CH-17CI-17CJ-17CK-17CL-17CM-17CN-17CO-17CP-17CQ-17CR-17CS-17CT-17CU-17CV-17CW-17CX-17CY-17CZ-17DA-17DB-17DC-17DD-17DE-17DF-17DG-17DH-17DI-17DJ-17DK-17DL-17DM-17DN-17DO-17DP-17DQ-17DR-17DS-17DT-17DU-17DV-17DW-17DX-17DY-17DZ-17EA-17EB-17EC-17ED-17EE-17EF-17EG-17EH-17EI-17EJ-17EK-17EL-17EM-17EN-17EO-17EP-17EQ-17ER-17ES-17ET-17EU-17EV-17EW-17EX-17EY-17EZ-17FA-17FB-17FC-17FD-17FE-17FF-17FG-17FH-17FI-17FJ-17FK-17FL-17FM-17FN-17FO-17FP-17FQ-17FR-17FS-17FT-17FU-17FV-17FW-17FX-17FY-17FZ-17GA-17GB-17GC-17GD-17GE-17GF-17GG-17GH-17GI-17GJ-17GK-17GL-17GM-17GN-17GO-17GP-17GQ-17GR-17GS-17GT-17GU-17GV-17GW-17GX-17GY-17GZ-17HA-17HB-17HC-17HD-17HE-17HF-17HG-17HH-17HI-17HJ-17HK-17HL-17HM-17HN-17HO-17HP-17HQ-17HR-17HS-17HT-17HU-17HV-17HW-17HX-17HY-17HZ-17IA-17IB-17IC-17ID-17IE-17IF-17IG-17IH-17II-17IJ-17IK-17IL-17IM-17IN-17IO-17IP-17IQ-17IR-17IS-17IT-17IU-17IV-17IW-17IX-17IY-17IZ-17JA-17JB-17JC-17JD-17JE-17JF-17JG-17JH-17JI-17JJ-17JK-17JL-17JM-17JN-17JO-17JP-17JQ-17JR-17JS-17JT-17JU-17JV-17JW-17JX-17JY-17JZ-17KA-17KB-17KC-17KD-17KE-17KF-17KG-17KH-17KI-17KJ-17KL-17KM-17KN-17KO-17KP-17KQ-17KR-17KS-17KT-17KU-17KV-17KW-17KX-17KY-17KZ-17LA-17LB-17LC-17LD-17LE-17LF-17LG-17LH-17LI-17LJ-17LK-17LL-17LM-17LN-17LO-17LP-17LQ-17LR-17LS-17LT-17LU-17LV-17LW-17LX-17LY-17LZ-17MA-17MB-17MC-17MD-17ME-17MF-17MG-17MH-17MI-17MJ-17MK-17ML-17MN-17MO-17MP-17MQ-17MR-17MS-17MT-17MU-17MV-17MW-17MX-17MY-17MZ-17NA-17NB-17NC-17ND-17NE-17NF-17NG-17NH-17NI-17NJ-17NK-17NL-17NM-17NN-17NO-17NP-17NQ-17NR-17NS-17NT-17NU-17NV-17NW-17NX-17NY-17NZ-17OA-17OB-17OC-17OD-17OE-17OF-17OG-17OH-17OI-17OJ-17OK-17OL-17OM-17ON-17OO-17OP-17OQ-17OR-17OS-17OT-17OU-17OV-17OW-17OX-17OY-17OZ-17PA-17PB-17PC-17PD-17PE-17PF-17PG-17PH-17PI-17PJ-17PK-17PL-17PM-17PN-17PO-17PP-17PQ-17PR-17PS-17PT-17PU-17PV-17PW-17PX-17PY-17PZ-17QA-17QB-17QC-17QD-17QE-17QF-17QG-17QH-17QI-17QJ-17QK-17QL-17QM-17QN-17QO-17QP-17QQ-17QR-17QS-17QT-17QU-17QV-17QW-17QX-17QY-17QZ-17RA-17RB-17RC-17RD-17RE-17RF-17RG-17RH-17RI-17RJ-17RK-17RL-17RM-17RN-17RO-17RP-17RQ-17RR-17RS-17RT-17RU-17RV-17RW-17RX-17RY-17RZ-17SA-17SB-17SC-17SD-17SE-17SF-17SG-17SH-17SI-17SJ-17SK-17SL-17SM-17SN-17SO-17SP-17SQ-17SR-17SS-17ST-17SU-17SV-17SW-17SX-17SY-17SZ-17TA-17TB-17TC-17TD-17TE-17TF-17TG-17TH-17TI-17TJ-17TK-17TL-17TM-17TN-17TO-17TP-17TQ-17TR-17TS-17TT-17TU-17TV-17TW-17TX-17TY-17TZ-17UA-17UB-17UC-17UD-17UE-17UF-17UG-17UH-17UI-17UJ-17UK-17UL-17UM-17UN-17UO-17UP-17UQ-17UR-17US-17UT-17UU-17UV-17UW-17UX-17UY-17UZ-17VA-17VB-17VC-17VD-17VE-17VF-17VG-17VH-17VI-17VJ-17VK-17VL-17VM-17VN-17VO-17VP-17VQ-17VR-17VS-17VT-17VU-17VV-17VW-17VX-17VY-17VZ-17WA-17WB-17WC-17WD-17WE-17WF-17WG-17WH-17WI-17WJ-17WK-17WL-17WM-17WN-17WO-17WP-17WQ-17WR-17WS-17WT-17WU-17WV-17WW-17WX-17WY-17WZ-17XA-17XB-17XC-17XD-17XE-17XF-17XG-17XH-17XI-17XJ-17XK-17XL-17XM-17XN-17XO-17XP-17XQ-17XR-17XS-17XT-17XU-17XV-17XW-17XX-17XY-17XZ-17YA-17YB-17YC-17YD-17YE-17YF-17YG-17YH-17YI-17YJ-17YK-17YL-17YM-17YN-17YO-17YP-17YQ-17YR-17YS-17YT-17YU-17YV-17YW-17YX-17YY-17YZ-17ZA-17ZB-17ZC-17ZD-17ZE-17ZF-17ZG-17ZH-17ZI-17ZJ-17ZK-17ZL-17ZM-17ZN-17ZO-17ZP-17ZQ-17ZR-17ZS-17ZT-17ZU-17ZV-17ZW-17ZX-17ZY-17ZZ

BAR

Property Address: 1411 Gaston Avenue
Austin, Texas 78703

FAR CALCULATION:

Lot Size:		11,197.20 sq. ft.
Primary Residence		
First Floor:	2,752.00 sq. ft.	
Second Floor:	1,246.00 sq. ft.	
Garage Apt		
First Floor (parking):	598.00 sq. ft.	
Second Floor (living quarters):	534.00 sq. ft.	
Exclude:		
598 sq. ft of first floor parking	<u>-598.00 sq. ft.</u>	
Total Floor Area	4,532.00 sq. ft.	4,532.00 sq. ft.

FAR : 4,532 / 11,197.20= 40.47%

DEMOLITION PERMIT

CITY OF AUSTIN - PROJECT PERMIT

FILED 07 June 2006

PERMIT NO.
06010060

STATUS
ACTIVE

TYPE
R

ADDRESS
1411 GASTON AVE

DATE
27-APR-06

SUBDIVISION LOT 5 * & W 10 FT OF LOT 6 BLK 28 PEMBERTON HEIGHTS SEC 8						PERMIT CLERK ZFLORES							
PLAT		BLOCK		LOT		GRID MH24							
ZONE		HT. & AREA		REQD.		PARKING PROVD.		PROPOSED OCCUPANCY DEMO SF RESIDENCE					
SPECIAL PERMIT NO.		TOTAL SQ. FT.		VALUATION		TYPE CONST.		USE. CAT. G4-1		GROUP	FLOORS	BLDGS 1	UNITS
WORK PERMITTED				BASEMENT N		BUILDING DIMENSIONS				MIN. STD N	ONR N		

C O N T R A C T O R S	OWNER/CONTR. BUILDING ELECTRICAL MECHANICAL PLUMBING SIDEWALK/DRIVE SIGN ROOF / SIDE ELEC SERVICE FEE PLAN CHECK FEE	CONTRACTOR DAR CONSTRUCTION	PHONE	FEE	PAID DATE	REQUIRED INSPECTIONS BUILDING WATER SEWER
			453-4646	\$44	04/27/2006	
			ETJ FEE	TOTAL FEE \$44	TOTAL PAID \$44	

C.O. MAILING ADDRESS

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

REMARKS: EROSION SEDIMENTATION CONTROL REVIEW REQUIRED, ENTERED BY LONNIE/APPROVED BY STEVE SADOWSKY 4/27/2006

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

Handwritten: Paid 4/27/06

TO SCHEDULE AN INSPECTION, CALL 480-0623.

SEIBACKS

June 2, 2006

Measurements for the block of 1411 Gaston to street less 10 ft. for property line.

1. 1401 Gaston
 - b. House - 25 ft. LESS 10FT. = 15 ft.
2. 1403 Gaston
 - a. House - 49 ft. 2 in. LESS 10FT. = 39 ft. 2 in.
3. 1407 Gaston
 - a. House - 50 ft. LESS 10FT. = 40 ft.
4. 1413 Gaston
 - a. House - 50 ft. 9 in. LESS 10FT. = 40 ft. 9 in.
5. 1415 Gaston
 - a. House - 50 ft. 3 in. LESS 10FT. = 40 ft. 3 in.
6. 1419 Gaston
 - a. House - 57 ft. 3 in. LESS 10FT. = 47 ft. 3 in.
7. 1423 Gaston
 - a. House - 28 ft. 2in.

For a house with 4 or more lots develop. Throw out the one closest to the street and the one farthest to the street. 1401 Gaston and 1419 Gaston.

1403 Gaston - 39ft. 2in.
1407 Gaston - 40 ft.
1413 Gaston - 40 ft. 9 in.
1415 Gaston - 40 ft. 3 in.
1423 Gaston - 18 ft. 2 in.

$228 \text{ ft. } 4 \text{ in} / 5 = 45.60 \times .90 = 41.04 \text{ ft. minimum setback}$
 $228 \text{ ft. } 4 \text{ in} / 5 = 45.60 \times 1.10 = 50.16 \text{ ft. maximum setback}$

Today the minimum setback would be about 41 ft. and the maximum of about 50 ft.

The setback of the newly constructed house is to be 42ft. 1 1/2 in. from the property line.
Please see site plan attached.

June 2, 2006

Measurements for the block of 1411 Gaston to street less 10 ft. for property line.

1. 1401 Gaston
 - c. House - 25 ft. LESS 10FT. = 15 ft.
2. 1403 Gaston
 - a. House - 49 ft. 2 in. LESS 10FT. = 39 ft. 2 in.
3. 1407 Gaston
 - a. House - 50 ft. LESS 10FT. = 40 ft.
4. 1413 Gaston
 - a. House - 50 ft. 9 in. LESS 10FT. = 40 ft. 9 in.
5. 1415 Gaston
 - a. House - 50 ft. 3 in. LESS 10FT. = 40 ft. 3 in.
6. 1419 Gaston
 - a. House - 57 ft. 3 in. LESS 10FT. = 47 ft. 3 in.
7. 1423 Gaston
 - a. House - 28 ft. 2in.

The setback of the newly constructed house is to be 42ft. 1 ½ in. from the property line.
Please see site plan attached.